

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

Case No: 21-11298-LGB

286 Rider Ave Acquisition LLC,

Chapter 11

Debtor.

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**ORDER DENYING MOTION FOR ENTRY OF AN ORDER PURSUANT TO  
SECTIONS 105(A), 363, 364, 305(A), 349(B) And 1112(B) OF THE BANKRUPTCY  
CODE AUTHORIZING PAYOFF OF LENDER THROUGH EXIT  
REFINANCING, CLAIMS PROCEDURES, SUBSEQUENT DISMISSAL OF  
THIS BANKRUPTCY CASE, AND RELATED RELIEF**

Upon consideration of the *Motion for entry of an order pursuant to Sections 105(a), 363, 364, 305(a), 349(b) and 1112(b) of the Bankruptcy Code Payoff of Lender Through Exit Refinancing, Claims Procedures, Dismissal of This Bankruptcy Case, and Related Relief* [ECF No. 171] (the “Motion”), the joinder to the Motion filed by Toby Moskovits and Yechial Michael Lichtenstein, as indirect owners of 286 Rider Ave Acquisition LLC and co-debtors/guarantors [ECF No. 182], the response to the Motion filed by the debtor [ECF No. 183], the objection to the Motion filed by the United States Trustee for Region 2 [ECF No. 184], the response to the Motion filed by Be-Aviv Rider LLC [ECF No. 185], and the omnibus reply filed in support of the Motion [ECF No. 191]; and a hearing having been held on the Motion on December 9, 2021.

It is hereby ORDERED as follows:

1. For the reasons set forth on the record of the hearing, the Motion is DENIED.

Dated: December 9, 2021  
New York, New York

**/s/ Lisa G. Beckerman**  
Hon. Lisa G. Beckerman  
United States Bankruptcy Judge